

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 95 - SB 218

March 30, 2021

SUMMARY OF BILL: Requires, no later than January 1, 2022, all county election commissions to utilize precinct-based optical scanners.

ESTIMATED FISCAL IMPACT:

**Increase Local Expenditures – Exceeds \$2,000,000
/FY21-22 and Subsequent Years***

Assumptions:

- Based on information provided in the 2018 Tennessee Election Security report by the Tennessee Advisory Commission on Intergovernmental Relations (TACIR), there are 81 counties currently using direct recording electronic voting systems.
- The proposed language would require these counties to utilize or purchase a precinct-based optical scanner no later than January 1, 2022.
- Precinct-based optical scanners can be purchased for a minimum of approximately \$2,500.
- Optical scanners require voters to vote by hand for the scanner to count the paper ballot; any county that does not currently utilize these systems will be subject to a recurring increase in expenditures for paper, printing supplies, training, and audits.
- Due to multiple unknown factors, such as which counties will not, in the absence of this legislation, elect to utilize precinct-based optical scanners, the extent of any increase in local government expenditures as a result of purchasing optical scanner equipment, and the timing of any increased local expenditures, a precise fiscal impact cannot be determined; however, the recurring mandatory increase in local government expenditures is reasonably estimated to exceed \$2,000,000 beginning in FY21-22.
- According to the Secretary of State Election Security Grant program narrative for the HAVA Consolidated Appropriations Act of 2020, the Division of Elections has budgeted \$5,086,086 of the additional funding received to assist counties in purchasing and upgrading voting equipment.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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